

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

ORDER NO. 00-014  
NPDES NO. CA0104973

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
AND  
WASTE DISCHARGE REQUIREMENTS  
FOR  
COACHELLA VALLEY WATER DISTRICT, OWNER/OPERATOR  
MID VALLEY WATER RECLAMATION FACILITY NO. 4  
Thermal - Riverside County

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. On May 15, 1998, Coachella Valley Water District, owner/operator (hereinafter referred to as the discharger), 63-002 Fillmore Street, Thermal, CA 92274, submitted an application to update its waste discharge requirements and to renew its permit to discharge wastewater under the National Pollutant Discharge Elimination System (NPDES). The application is for the Mid Valley Water Reclamation Facility located at the address mentioned above.
2. Annual average flow to the Facility is around 2.7 million-gallons-day (MGD). Annual average discharge to the receiving waters is 2.7 MGD. The present design capacity is 7.0 MGD. The facility is located in Sections 2 and 11, T7S, R8E, SBB & M. Wastewater effluent is discharged into the Coachella Valley Storm Water Channel as shown on the attached site map, incorporated herein and made a part of this Board Order.
3. The Facility provides treatment through a lagoon system, preceded by headworks consisting of two pre-aeration ponds, screens, a conveyor, a washer/compactor, parshall flumes, a headworks building, and an odor control system. There are 16 aeration lagoons, 8 polishing ponds, and chlorination and dechlorination process units. All ponds are lined with a synthetic membrane liner. After treatment, the effluent is chlorinated using chlorine solution and dechlorinated using sulfur dioxide solution prior to discharge to the Coachella Valley Storm Water Channel via an outfall pipe.
4. The discharger owns and operates the wastewater collection system, which provides conveyance of raw wastewater to the Facility (a.k.a. a wastewater treatment plant). The discharger's system is sanitary sewers solely separate from the storm drain system.
5. The screenings removed from the headworks are disposed of at a Regional Board approved landfill. The discharger has contracted the services of a private contractor to haul away the lagoon's sludge for final disposal.

6. The National Pollutant Discharge Elimination System Permit application described the influent into the treatment plant as follows:

<u>Constituent/Parameter</u>	<u>Value</u>	<u>Units</u>
Annual Average Flow	2.7	MGD
Annual Average CBOD <sub>5</sub> <sup>1</sup>	286	mg/L <sup>2</sup>
Annual Average TSS <sup>3</sup>	387	mg/L

7. The National Pollutant Elimination System Permit application described the effluent from the wastewater treatment plant as follows:

<u>Constituent/Parameter</u>	<u>Value</u>	<u>Units</u>
Annual Average Flow	2.7	MGD
Lowest Monthly Average Flow	1.8	MGD
Highest Monthly Average Flow	3.5	MGD
Lowest Monthly Average pH	7.0	pH Units
Highest Monthly Average pH	7.3	pH Units
Lowest Monthly Average Value CBOD	5.0	mg/L
Highest Monthly Average Value CBOD	14.0	mg/L
Annual Average TSS	15	mg/L
Highest Monthly Average TSS	24	mg/L
Annual Average Settleable Matter	<0.3	ml/L <sup>4</sup>

8. The discharger has been subject to an NPDES Permit and waste discharge requirements adopted in Board Order No. 95-026 (NPDES No. CA0104973) adopted May 24, 1995, which allows for discharge to the Coachella Valley Storm Water Channel.
9. This Board Order reissues the NPDES Permit to comply with current laws and regulations as set forth in the California Water Code and Code of Federal Regulations (CFR).
10. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993, and designates the beneficial uses of ground and surface waters in the Region.
11. The beneficial uses of waters in the Coachella Valley Storm Water Channel are:
- Fresh Water Replenishment for Salton Sea (FRSH)
  - Water Contact Recreation (REC I)<sup>5</sup>
  - Non-Contact Water Recreation (REC II)<sup>5</sup>
  - Warm Water Habitat (WARM)
  - Wildlife Habitat (WILD)
  - Preservation of Rare, Endangered or Threatened Species (RARE)<sup>6</sup>
13. In the event that the discharger's private contractor is unable to provide service for secondary sludge removal and disposal from the discharger's other facility, Palm Desert Reclamation Plant No. 10, the

<sup>1</sup> Carbonaceous Biochemical Oxygen Demand

<sup>2</sup> Milligrams per liter

<sup>3</sup> Total Suspended Solids

<sup>4</sup> Milliliters per liter

<sup>5</sup> Unauthorized Use

<sup>6</sup> Rare, endangered, or threatened wildlife exists in or utilizes some of these waterways(s). If the RARE beneficial use may be affected by a water quality control decision, responsibility for substantiation of the existence of rare, endangered, or threatened species on a case-by-case basis is upon the California Department of Fish and Game on its own initiative and/or at the request of the Regional Board; and such substantiation must be provided within a reasonable time frame as approved by the Regional Board.

discharger may in the interim, transport secondary sludge to Mid Valley Water Reclamation Plant No. 4 as a contingency plan for temporary storage.

14. The United States Environmental Protection Agency adopted the National Toxics Rule (NTR) on February 5, 1993. The NTR requires effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause, or contribute to an in-stream excursion above a narrative or numeric water quality standard. Based on information submitted as part of the application, in studies, and as directed by monitoring and reporting programs, the Regional Board finds that the discharge does not have a reasonable potential to cause or contribute to an in-stream excursion above water quality objectives.
15. The proposed discharge is consistent with the anti-degradation provisions of 40 CFR 131.12 and State Water Resources Control Board Resolution No. 68-16. If terms of the permit are met, the impact on water quality will be insignificant, including potential impacts on aquatic life, which is the beneficial use most likely affected by the discharge.
16. Discharges exceeding 1.0 MGD are classified as Major by the United States Environmental Protection Agency. Accordingly, the Regional Board has classified this discharge as a Major Discharge.
17. Effluent and receiving water limitation in this Board Order are based on the Federal Clean Water Act, Basin Plan, State Water Resources Control Board's plans and policies, United States Environmental Protection Agency guidance, best professional judgment, and best available technology economically achievable.
18. Effluent limitations and toxic and pretreatment effluent standards, established pursuant to Section 208 (b), 301, 302, 304, and 307 of the Federal Clean Water Act (CWA) and amendments thereto that are applicable to the discharge are implemented in this Board Order.
19. The action to adopt an NPDES Permit is exempt from the provisions of the California Environmental Quality Act (CEQA: Public Resources Code Section 21100, et. seq.), pursuant to Section 13389 of the California Water Code.
20. The Board has notified the discharger and all known interested agencies and persons of its intent to renew and update NPDES Permit and waste discharge requirements for said discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
21. The Board in a public meeting heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 95-026 is terminated, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act, and regulations and guidelines adopted thereunder, the discharger shall comply with the following:

A. Effluent Limitations

1. Representative samples of wastewater discharged to Coachella Valley Storm Water Channel shall not contain constituents in excess of the limits indicated below. Discharge to the Coachella Valley Storm Water Channel shall be monitored at a location which is acceptable to the Executive Officer of this Regional Board or his designee:

<u>Constituents</u>	<u>Unit</u>	<u>30-Day<sup>7</sup> Arithmetic Mean Discharge Rate</u>	<u>7-Day<sup>8</sup> Arithmetic Mean Discharge Rate</u>
20°C CBOD <sub>5</sub> <sup>9</sup>	mg/L	40	60
Suspended Solids	mg/L	95	- -
Total Dissolved Solids	mg/L	2,000	2,500
Settleable Matter	ml/L	0.3	0.5

2. The 30-day average percent removal of the pollutant parameters CBOD<sub>5</sub> and suspended solids shall not be less than 65 percent.
3. The hydrogen ion (pH) of the effluent shall be maintained within the limits of 6.0 to 9.0.
4. The twenty-four (24) hour hydraulic flow rate for this system shall not exceed 7.0 MGD.
5. No waste discharge shall exceed the effluent limitations for Group 1 or Group 2 pollutants. Exceedance of a Group 1 pollutant by 40 percent or a Group 2 pollutant by 20 percent or more is a serious violation. Group 1 and Group 2 pollutants are defined in 40 CFR Section 123.45.
6. Wastewater effluent discharged to Coachella Valley Storm Water Channel shall not have a fecal coliform concentration in excess of a log mean of Most Probable Number (MPN) of 200 MPN per 100 milliliters (based on a minimum of not less than five samples for any 30-day period) nor shall more than ten percent of total samples during any 30-day period exceed 400 MPN per 100 milliliters. The compliance point for this effluent limitation shall be at a location acceptable to the Executive Officer of this Regional Board or his designee.
7. Wastewater discharged to Coachella Valley Storm Water Channel shall not contain a total chlorine residual greater than 0.02 mg/L as an instantaneous maximum and 0.01 mg/L as a monthly average. Compliance for this effluent limitation shall be at a location acceptable to the Executive Officer of this Regional Board or his designee.
8. There shall be no acute toxicity in the effluent discharged to Coachella Valley Stormwater Channel. Acute toxicity is defined as less than ninety percent survival, fifty percent of the time, and less than seventy percent survival, ten percent of the time, of standard test organisms in undiluted effluent in a 96-hour static or continuous-flow test.
9. The effluent shall not contain heavy metals, chemicals, pesticides or other constituents in concentration toxic to aquatic life.

B. Receiving Water Limitations

<sup>7</sup> 30-Day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 30 consecutive days as specified in the Monitoring and Reporting Program.

<sup>8</sup> 7-Day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 7 consecutive days as specified in the Monitoring and Reporting Program.

<sup>9</sup> Carbonaceous Biochemical Oxygen Demand

1. Receiving Water Limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this permit. The discharge shall not cause the following in the Coachella Valley Storm Water Channel:
  - a. Depress the concentration of dissolved oxygen below 5.0 mg/L. When dissolved oxygen in receiving water is already below 5.0 mg/L, the discharge shall not cause any further depression.
  - b. The presence of oil, grease, floating material (liquids, solids, foam and scum) or suspended material in amounts that create a nuisance or adversely affect beneficial uses.
  - c. Result in the deposition of pesticides or combination of pesticides to be detected in concentration that adversely affects beneficial uses.
  - d. Aesthetically undesirable discoloration or odors in the receiving water.
  - e. A significant increase in fungi, slime, or other objectionable growth.
  - f. The turbidity to increase by more than 10 percent over background levels.
  - g. The normal ambient pH to fall below 6.0 or exceed 9.0 units.
  - h. Result in the deposition of material that causes nuisance or adversely affects beneficial uses.
  - i. The normal ambient receiving water temperature to be altered more than 5° F.
  - j. The chemical constituents to exceed concentrations that adversely affect beneficial uses or create nuisance.
  - k. Toxic pollutants to be present in the water column, sediments or biota in concentrations that adversely affect beneficial uses or that produce detrimental physiological responses in human, plant, animal, or aquatic life.
  - l. Taste or odor-producing substances to impart undesirable tastes or odors to the water or fish flesh or other edible products of aquatic origin or to cause or otherwise adversely affect beneficial uses.
2. This discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act or amendments thereto, the Regional Board will revise and modify this Permit in accordance with such more stringent standards.

### C. Prohibitions

1. Discharge of treated wastewater at a location or in a manner different from that described in Findings No. 2 and 3, is prohibited.
2. The discharger shall not accept waste in excess of the design treatment capacity of all treatment systems.
3. The bypass or overflow of untreated or partially treated wastewater or wastes is prohibited, except as allowed in the Standard Provision No. 13, as contained in the Standard Provisions for National Pollutant Discharge Elimination System Permit (hereinafter Standard Provisions), dated October, 1990.

### D. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.
2. The wastewater treatment plant shall be protected from any washout or erosion of wastes or covering material, and from any inundation, which could occur as a result of floods having a predicted frequency once in 100 years.
3. Public contact with undisinfected water or wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
4. The discharge shall not cause degradation of any water supply.
5. A minimum vertical depth of freeboard of two feet shall be maintained in all ponds.
6. Ponds shall be managed to prevent breeding of mosquitoes, in particular,
  - a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
  - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
  - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
7. Bioassays shall be performed to evaluate the toxicity of the discharged wastewater in accordance with the following procedures unless otherwise specified by the Executive Officer of this Regional Board or his designee:
  - a. Bioassays shall be conducted on a sensitive fish species and an invertebrate species as approved by the Regional Board's Executive Officer. Pimephales promelas (fathead minnow) and Ceriodaphnia are suggested test species, which may be utilized. The bioassays shall be conducted in accordance with the protocol given in EPA/600/4-91/002 – Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to Freshwater Organisms.
  - b. The bioassay test specified in the Monitoring and Reporting Program shall be performed as specified.
8. If the discharge consistently exceeds the applicable chronic or acute toxicity limitation, a toxicity reduction evaluation (TRE) is required. The TRE shall include all reasonable steps to identify the source(s) of toxicity. Once the source(s) of toxicity is identified, the discharger shall take all reasonable steps necessary to reduce toxicity to the required level.

## E. Provisions

1. This Board Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Federal Clean Water Act, as amended, and shall become effective at the end of ten (10) days from the date of the hearing at which this Board Order was adopted by the Regional Board, provided the Regional Administrator, United States Environmental Protection Agency, has no objections.
2. This Board Order expires five years from date of adoption on May 10, 2005, and the discharger shall file a complete Report of Waste Discharge in accordance with Title 23, California Code of Regulations, at least 180 days in advance of such date as an application for issuance of a new Board Order.
3. The discharger shall provide a report to the Regional Board when it determines that the plant is operating at 80 percent of the design capacity specified in Finding No. 2, above. The report should indicate what steps, if any, the discharger intends to take to provide for the expected wastewater treatment capacity necessary when the plant reaches design capacity.
4. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
5. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
6. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.
7. The discharger shall comply with all condition of this Board Order. Noncompliance constitutes a violation of the Federal Clean Water Act, and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification of water discharge requirements; or denial of a Permit renewal application.
8. The discharger shall comply with "Standard Provisions for National Pollutant Discharge Elimination System Permit" dated October 1990, (attached).
9. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
10. The discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board.

11. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with this Board Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems, which are installed by a discharger when necessary to achieve compliance with the conditions of this Board Order.
12. The discharger's wastewater treatment plant shall be supervised and operated by persons possessing certification of appropriate grade pursuant to Section 3680, Chapter 4, Division 4, Title 23 of the California Code of Regulations. The discharger shall ensure that all operating personnel are familiar with the contents of this Board Order.
13. The discharger shall comply with "Monitoring and Reporting Program No. 00-014", and future revisions thereto, as specified by the Regional Board's Executive Officer; and shall be in accordance with the following:
  - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - b. The monitoring and reporting of influent, effluent, and sludge shall be done, depending on the nature and effect of the sewage sludge use or disposal practices, or as specified in this Board Order.
  - c. All monitoring, including that of sludge use or disposal, must be conducted according to test procedures approved under 40 CFR Part 136 or as specified in this Board Order.
  - d. The discharger shall retain records of all monitoring information, including all calibrations and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least 5 years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Board's Executive Officer.
  - e. Records of monitoring information shall include:
    1. The date, exact place, and time of sampling measurement(s).
    2. The individual(s) who performed the sampling or measurement(s).
    3. The date(s) analyses were performed;
    4. The individual(s) who performed the analyses;
    5. The results of such analyses.
14. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
  - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

- d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
15. The discharger shall provide adequate notice to the Regional Board's Executive Officer of the following:
  - a. Any new introduction of pollutants into any of the treatment facilities described in the Findings of this Board Order from an indirect discharger which would be subject to Section 301 or 306 of the Federal Clean Water Act, if it were directly discharging the pollutants.
  - b. Any substantial change in the volume or character of pollutants being introduced into any of the treatment facilities described in the Findings of this Board Order by an existing or new source.
  - c. Any planned physical alterations or additions to the facilities described in this Board Order, or changes planned in the discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order applications process, or not reported pursuant to an approved land applications plan.
  - d. The discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the discharger's next scheduled self-monitoring report or earlier if requested by the Regional Board's Executive Officer, or if required by an applicable standard for sludge use and disposal.
16. The discharge shall not cause degradation of any beneficial use of surface or ground water.
17. The discharger shall implement acceptable operation and maintenance at the wastewater treatment plant so that needed repair and maintenance are performed in a timely manner.
18. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
19. The discharger may be required to submit technical reports as directed by the Regional Board's Executive Officer.
20. The discharger shall obtain prior written approval from the Regional Board specifying location and method of disposal, before disposing of Class B or lesser quality sludge, or similar solid waste materials using a method not described in Finding No. 5. In addition, the discharger shall provide the results of any sludge analyses as specified by the Regional Board's Executive Officer.
21. All sludge generated at the wastewater treatment plant will be disposed, treated, or applied to land in accordance with Federal Regulations 40 CFR 503.
22. The discharger shall exclude from the wastewater treatment plant any liquid or solid waste, which could adversely affect the plant operation or effluent quality. The excluded liquid or solid waste shall be disposed in accordance with applicable regulations.

23. The discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agricultural, composting, etc.), and the destination, as specified in the monitoring and reporting program of the Board Order.
24. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the USEPA.
25. This Board Order may be modified, revoked and reissued, or terminated for any cause stated below. The filing of a request by the discharger for a Board Order modification, revocations and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land applications plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Board or Regional Board, including revisions to the Basin Plan.
26. The discharger shall report any non-compliance that is likely to endanger human health or the environment, within 24 hours of becoming aware of its occurrence. The incident shall be reported to the Regional Board Office and to the Office of Emergency Services. During non-business hours the discharger shall leave a message on the Regional Board's voice mail. The Office of Emergency Services is operational 24 hours a day. A written report shall be submitted to this office, within five business days of the discharger becoming aware of the incident. The report shall contain a description of the non-compliance, it causes, the duration, and the actual or anticipated time for achieving compliance. The report shall include complete details of the steps that the discharger has taken, or intends to take, in order to prevent recurrence. All intentional or accidental spills exceeding 1,000 gallons shall be reported as required by this provision.
27. Within 180 days of the issuance of this Board Order the discharger shall submit a Spill Response Plan (SRP) for Regional Board staff review. Thereafter, the plan shall be updated annually, and shall be available for staff review during Regional Board inspections. The discharger shall ensure that all operating personnel are familiar with the contents of the SRP. A copy of the SRP shall be maintained at the site and shall be accessible to all operating personnel.
28. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with State Water Resources Control Board and Integrated Waste Management Board's joint Regulations (Title 27) of the California Code of Regulations and approved by the Regional Board's Executive Officer.
29. The Federal Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Federal Clean Water Act is subject to a civil or criminal penalty.
30. In the event the discharger allows significant industrial uses to discharge to the wastewater treatment plant, the discharger shall do so by developing and implementing an approved Industrial Pretreatment Program in accordance with the applicable Federal Pretreatment Regulations promulgated in 40 CFR Part 403.
31. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, or any infringement or violation of federal, state, or local laws or regulations.

#### F. Pretreatment

1. In the event that significant industrial wastewaters are being discharged to the wastewater treatment facility, then:
  - a. The discharger shall be responsible for the performance of all pretreatment requirements contained in the Code of Federal Regulations, Part 40, Section 403, and shall be subject to enforcement actions, penalties, and other remedies by the United States Environmental Protection Agency, or the Regional Board, as provided in the Federal Clean Water Act, as amended (33 USC 1251 et. seq.) (hereafter "Act").
  - b. Within 365 days of the significant industrial wastewaters being discharged to the wastewater treatment plant, the discharger shall seek and obtain a formal approval of its Pretreatment Plan, from the Regional Board's Executive Officer.
  - c. The discharger shall implement and enforce its Pretreatment Program. The discharger's Pretreatment Program is hereby made an enforceable condition of this Board Order. The United States Environmental Protection Agency or the Regional Board may initiate enforcement action against an industrial user for noncompliance with applicable standards and requirements as provided in the Act.
  - d. The discharger shall enforce the requirements promulgated under Sections 307 (b), 307 (c), 307 (d) and 402 (b) of the Act. The discharger shall cause industrial users subject to Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.
  - e. The discharger shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:
    1. Implementation of the necessary legal authorities as provided in 40 CFR 403.8 (f) (1);
    2. Enforcement of the pretreatment requirements under 40 CFR 403.5 and 403.6;
    3. Implementation of the programmatic function as provide in 40 CFR 403.8 (f) (2); and
    4. Provision of the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8 (f) (3).
2. The discharger shall submit annually a report to United States Environmental Protection Agency, the State Board, and the Regional Board describing the discharger's pretreatment activities over the previous twelve months. In the event that the discharger is not in compliance with any conditions of the requirements of this Board Order, the discharger shall also include the reasons for noncompliance and state how and when the discharger shall comply with such conditions and requirements. This annual report is due by January 15 of each year and shall contain, but not be limited to, the following appendix, entitled "Requirements for Pretreatment Annual Report".

#### Appendix – Requirements for Pretreatment Annual Report

- a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent for those pollutants United States Environmental Protection Agency has identified under Section 307 (a) of the Act which are known or suspected to be discharged by industrial users. The discharger is not required to sample and analyze for asbestos until the United States Environmental Protection Agency promulgates an applicable analytical technique under 40 CFR Part 136. Sludge shall be sampled during the same 24-hour period and analyzed for the same pollutants as the influent and effluent. The sludge analyzed shall be a composite sample of a minimum of twelve discrete samples taken at equal time intervals over the 24-hour period. Wastewater and sludge sampling and analysis shall be performed a minimum of annually. The discharger shall also provide any influent, effluent or sludge, monitoring data for

nonpriority pollutants, which the discharger believes, may be causing or contributing to interference, pass through or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

- b. A discussion of upset, interference, or pass-through incidents, if any, at the POTW treatment plant, which the discharger knows, or suspects were caused by industrial users of the POTW system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken, if known, the name and address of the responsible industrial users. The discussion shall also include a review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent pass through, interference, or noncompliance with sludge disposal requirements.
- c. The cumulative number of industrial users that the discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.
- d. An updated list of the discharger's industrial users including their names and addresses, or a list of deletions and additions keyed to a previously submitted list. The discharger shall provide a brief explanation for each deletion. The list shall identify the industrial users subject to Federal Categorical Standards by specifying which set(s) of standards are applicable. The list shall indicate which categorical industries, or specific pollutants from each industry, are subject to local limitations that are more stringent than the Federal Categorical Standards. The discharger shall also list the noncategorical industrial users that are subject only to local discharge limitations. The discharger shall characterize the compliance status of each industrial user by employing the following descriptions:
  1. In compliance with Baseline Monitoring Report requirements (where applicable);
  2. Consistently achieving compliance;
  3. Inconsistently achieving compliance;
  4. Significantly violated applicable pretreatment requirements as defined by 40 CFR 403.8 (f) (2) (vii);
  5. On a compliance schedule to achieve compliance (include the date final compliance is required);
  6. Not achieving compliance and not on a compliance schedule;
  7. The discharger does not know the industrial user's compliance status.
- e. A report describing the compliance status of any industrial use characterized by the descriptions in items d (3) through (7) above shall be submitted quarterly from the annual report date to United States Environmental Protection Agency Region 9, the State Board, and Regional Board. The report shall identify the specific compliance status of each such industrial user. This quarterly reporting requirement shall commence upon issuance of this Board Order.
- f. A summary of the inspection and sampling activities conducted by the discharger during the past year together with information and data regarding industrial users. The summary shall include:
  1. The names and addresses of the industrial users subject to surveillance by the discharger and an explanation of whether they were inspected, sampled, or both and the frequency of these activities; and
  2. The conclusions or results from the inspection or sampling of each industrial user.

- g. A summary of the compliance and enforcement activities during the past year. The summary shall include the names and addresses of the industrial users affected by the following actions:
  - 1. Warning letters or notices of violation regarding the industrial users apparent noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the apparent violation concerned the Federal Categorical Standards or local discharge limitations;
  - 2. Administrative orders regarding the industrial users' compliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
  - 3. Civil actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
  - 4. Criminal actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
  - 5. Assessment of monetary penalties. For each industrial user, identify the amount of penalties;
  - 6. Restriction of flow of the POTW; or
  - 7. Disconnection from discharge to the POTW.
- h. A description of any significant changes in operating the pretreatment program which differs from the information in the discharger's approved POTW Pretreatment Program including, but not limited to, changes concerning: the program's administrative structure; local industrial discharge limitations; monitoring program or monitoring frequencies; legal authority or enforcement policy; funding mechanisms; resource requirements; or staffing levels.
- i. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.
- j. A summary of public participation activities to involve and inform the public.
- k. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

Duplicate signed copies of these reports shall be submitted to the United States Environmental Protection Agency's Regional Administrator and the Regional Board at the following addresses:

Regional Administrator  
 United States Environmental Protection Agency  
 Region 9 Attn: W-3  
 75 Hawthorne Street  
 San Francisco, CA. 94105

California Regional Water Quality Control Board  
 Colorado River Basin Region  
 73-720 Fred Waring Drive, Suite 100  
 Palm Desert, CA. 92260

I, Philip A. Gruenberg, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the Regional Water Quality Control Board, Colorado River Basin Region, on May 10, 2000.

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Executive Officer